

REMARKS

I. Status of the Application

Claims 20-39 are pending in this application. In the October 8, 2008 office action, the Examiner:

A. Rejected claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over US Pub 2004/0064406 to Yates et al. (hereinafter “Yates”).

In this response, applicants have amended claims 19 and 20, and cancelled claims 21 and 33, without prejudice. Claims 1-19 were canceled in the preliminary amendment filed March 17, 2006. Although the Office Action states that claims 1-20 have been examined, as opposed to claims 20-39, applicants have treated the examination of claims 1-20 as the examination of claims 20-39, respectively.

II. The Obviousness Rejections

Claim 1 has been rejected as allegedly being obvious over Yates. However, the Examiner has not identified with particularity where Yates teaches any of the limitations of claim 1, nor what structures of Yates constitutes the claimed “first network subscriber node”, the “second network subscriber node”, the “first terminal”, the “first communication network”, the “transaction data”, the “identification number”, the “second terminal”, the “second communication network”, the “third network subscriber node”, the “associated service provider node”, the “third communication network”, the “verified identification number”, the “fourth communication network”, the “credit reserved”, and so forth. Instead,

the Examiner recites the claim language and essentially refers to the entire Yates reference.

(Office action at pp.2-5).

The Patent Rules provide for the following:

In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.

(37 C.F.R. 1.104(c)(2)). Applicants respectfully submit that the Yates reference is sufficiently complex that the particular parts relied upon must be set forth in the rejection. Applicant is not trying to be hypertechnical. The rejection is very unspecific and it is not apparent how the reference is being applied.

In any event, it is respectfully submitted that the Examiner has failed to make out a prima facie case of obviousness with respect to claim 1 by failing to identify where the prior art teaches any of the claimed steps.

Moreover, the Examiner has rejected claim 1 as being obvious, but does not describe how or why one would modify Yates to arrive at the claimed invention. The Examiner has thus failed to provide a clearly articulated reason to modify the reference.

Finally, applicant has amended claim 20 to incorporate limitations of claim 22 regarding confirmation of conclusion of the transaction. These steps provide an advantage that no duplicate or unauthorized postings will occur due to the confirmation of the conclusion. The specification notes the importance of inhibiting unauthorized postings at p.3, lines 23-26. Yates does not teach or disclose a two-stage process of reserving and posting after confirmation as per claim 20.

Yates further fails to disclose or suggest a coordinator node (i.e. third subscriber

nodes) that essentially guarantees that the identified of the second network node remains anonymous to the service provider node.

For all of the foregoing reasons, it is respectfully submitted that claim 20 is allowable over the prior art of record.

In addition, claims 21, 23-32 and 34-39 are allowable over the prior art of record for at least the same reasons.

III. Conclusion

For all of the foregoing reasons, it is respectfully submitted the applicant has made a patentable contribution to the art. Favorable reconsideration and allowance of this application is therefore respectfully requested.

In the event applicant has inadvertently overlooked the need for an extension of time or payment of an additional fee, the applicant conditionally petitions therefore, and authorizes any fee deficiency to be charged to deposit account 13-0014.

Respectfully submitted,



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